



#6/1/2E
4/24/03

PATENT
0229-0674P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Shinichi MIYAZAKI et al. Conf.: 9763
Appl. No.: 09/989,411 Group: 1733
Filed: November 21, 2001 Examiner: A. Johnstone
For: A RADIAL TIRE OR HEAVY LOAD AND METAL
CORD USER THEREFOR

RECEIVED
APR 22 2003
GROUP 1700

REPLY TO RESTRICTION AND ELECTION REQUIREMENTS

Assistant Commissioner for Patents
Washington, DC 20231

April 21, 2003
(Monday)

Sir:

In reply to the Restriction Requirement dated March 20, 2003, the following remarks are respectfully submitted in connection with the above-identified application.

REMARKS

The claims of the present application have been subjected to a Restriction Requirement under 35 U.S.C. § 121 as follows:

Group I -- claims 1-8 directed to a radial tire having carcass cord; and

Group II ---claims 9-11 directed to the carcass cord of the tire of the claims of Group I.

In addition to the above-noted Restriction Requirement, applicants have also been required to elect a single disclosed species from the core embodiments of one filament bundle (Figure 7) or two to four filaments bundles (Figure 2).

Traversal of Restriction and Election Requirement

The above-noted Restriction and Election Requirements are respectfully traversed. Regarding the Restriction Requirement, it is submitted that the search and examination for the claims of each of Group I and Group II substantially overlaps such that no serious burden is placed on the Examiner to examine all of the subject matter of all of the claims present in this application. Further, note that the election below is to the claims of Group I, such that the search and examination issues for the claims of Group I appear to encompass those of the claims of Group II.

Regarding the Election Requirement, it is submitted that the search and examination issues for each of the embodiments of Figure 7 and Figure 2 also substantially overlap such that no serious burden is placed on the Examiner to examine all of the subject matter of the claims of the present application. It is further submitted that the provisional election of the embodiment of Figure 2 note below, if the claims encompassing this embodiment are found to be allowable, should require the Examiner to expand the search and examination to a reasonable number of species including the embodiment of Figure 7.

In view of the above, it is requested that both the Restriction and Election Requirement be withdrawn.

Response to Restriction Requirement

Applicants hereby elect the claims of Group I, i.e. claims 1-8, with traverse.

Response to Election Requirement

Applicants provisionally elect as a single disclosed species the embodiment of Figure 2, i.e. wherein the core has two to four filament bundles. This provisional election is made with traverse.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Andrew D. Meikle, #32,868

ADM/csm
0229-0674P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000



IN THE U.S. PATENT AND TRADEMARK OFFICE

PATENT
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GROUP 1700

Applicant: Shinichi Miyazaki et al. Conf.: 9764
Appl. No.: 09/989,411 Group: 1733
Filed: November 21, 2001 Examiner: A. JOHNSTONE
For: A RADIAL TIRE OR HEAVY LOAD AND METAL
CORD USER THEREOF

LARGE ENTITY TRANSMITTAL FORM

Assistant Commissioner for Patents
Washington, DC 20231

April 21, 2003
(Monday)

Sir:

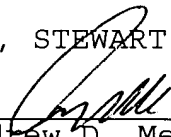
Transmitted herewith is a Reply to Restriction/Election Requirement in the above-identified application.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ Petition for _____ () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☒ No fee is required.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Andrew D. Meikle, #32,868

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Attachment(s)